

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Federal Trade Commission

v.

Civil No. 04-cv-377-JD

Seismic Entertainment
Productions, Inc., et al.

O R D E R

John Robert Martinson, proceeding pro se, has filed a motion for a protective order, on behalf of his wife, Kathy Martinson, and a separate motion to strike the FTC's first set of interrogatories to him and to cancel his deposition.¹ On March 16, 2006, the court granted the FTC's motion to reopen discovery into the amount of a monetary judgment that would be appropriate with respect to Martinson. Martinson contends that all possible information that is sought in the FTC's interrogatories and that could be provided in the depositions has already been provided through subpoenas for financial documents and information to certain people and institutions. Because Martinson represents that his wife's deposition is scheduled for April 26, 2006, and to avoid further delay in resolving this case, the court is addressing his motions before the FTC has had an opportunity to respond.

¹Kathy Martinson is not a party in this action. John Martinson is proceeding pro se and cannot represent his wife. Nevertheless the court will take notice of his request, on her behalf, for a protective order to cancel her deposition.

The deposition of Kathy Martinson scheduled for April 26, 2006, is cancelled. The FTC shall review the information that it has received and determine whether the depositions of the Martinsons and any additional information in response to the interrogatories are necessary. If, after its review, the FTC believes that it requires additional information from John or Kathy Martinson, the FTC shall file a motion seeking leave to conduct additional discovery and explaining the purpose of that additional discovery.

Conclusion

For the foregoing reasons, the defendant's motion for a protective order (document no. 114) is granted. The defendant's motion to strike (document no. 115) is terminated.

SO ORDERED.


Joseph A. DiClerico, Jr.
United States District Judge

April 20, 2006

cc: Stacey P. Ferguson, Esquire
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